

UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF MASSACHUSETTS

DIANE BARTON, on behalf of herself and  
others similarly situated,

Plaintiff,

v.

TEMESCAL WELLNESS, LLC  
Defendant.

Civil Action No.: 4:20-cv-40114

**STIPULATION OF DISMISSAL WITH PREJUDICE**

Having determined that this matter warrants no further litigation, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the parties stipulate that the plaintiff's remaining cause of action, for allegedly violating the do-not-call prohibition of the Telephone Consumer Protection Act, is dismissed with prejudice. The parties also stipulate that the plaintiff's cause of action for violating the TCPA's auto-dialer prohibition, previously dismissed voluntarily by plaintiff, is now dismissed with prejudice.

Respectfully submitted,

**DIANE BARTON, on behalf  
of herself and other similarly situated**

By her attorneys,

PARONICH LAW, P.C.

March 10, 2022

By: /s/ Anthony Paronich  
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Respectfully submitted,

**TEMESCAL WELLNESS, LLC**

By its attorneys,

DEVINE MILLIMET & BRANCH, P.A.

March 10, 2022

By: /s/ Ashley R. Theodore  
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